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FEB 02 2006

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

RICHARD RONTE JACKSON,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

Civil Action No. 7:06CV00060

FINAL ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the memorandum opinion entered this day, it is now

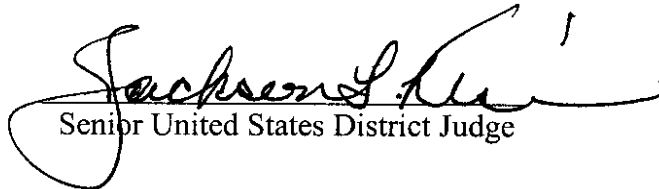
ORDERED

as follows:

1. The petitioner's motion challenging subject matter jurisdiction under 28 U.S.C. § 1331 shall be and hereby is **CONSTRUED** as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, and **DISMISSED** as successive; and
2. This action shall be and hereby is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent, if known.

ENTER: This 2nd day of ~~January~~ ^{Feb.}, 2006.


Senior United States District Judge